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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/772,959	01/31/2001	Joe Teixeira	19176.0006	1488

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EXAMINER

HO, CHUONG T

ART UNIT	PAPER NUMBER
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2664

DATE MAILED: 12/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

TS

Office Action Summary

Application No.

09/772,959

Applicant(s)

TEIXEIRA, JOE

Examiner

Chuong Ho

Art Unit

2664

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4. 6) ☐ Other: .

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 13, 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chong (U.S. Patent No. 6,434,221 B1) in view of Dunn et al. (U.S. Patent No. 6,072,793).

In the claim 1, see figures 2, 1, Chong discloses providing digital subscriber service for a first subscriber (CPE 1, CPE 2, ..., CPE k) via a cross-connect switch (access matrix (figure 1)) to a digital subscriber line access multiplexer (DSLAM, see figure 1) connected to a digital telecommunication network, the cross connect switch supplying a connection between data processing equipment of the first subscriber and the digital subscriber line access multiplexer (see col. 3, lines 5-10, lines 30-35, see figures 1, 2).

However, Chong is silent to disclosing receiving, at a network management system connected to the cross connect switch, an indication that the first subscriber has terminated service.

Dunn et al. discloses in response to a request from an operation support system to the controller 10 (network management system), the auxiliary ECMDF establishes a connection between a specified subscriber and specified input to the SLCRT 31; comprising:

receiving at a network management system (controller 10) connected to the cross connect switch (AUX ECMDF 35, AUX FRAME 21, ,LEC Switch 3, CAP Switch 5), an indication that the first subscriber has terminated service (see figure 1, col. 3, lines 46-55, lines 9-16);

in response to receiving the indication at the network management system (controller 10), transmitting a command to the cross connect switch (AUX ECMDF 35, AUX FRAME 21, ,LEC Switch 3, CAP Switch 5) to switch out (to add or remove connections) the connection of the data processing equipment of first subscriber (see figure 1, col. 3, lines 46-55, lines 9-16);

in response to receiving the command at the cross-connect switch, switching out the connection of the data processing equipment of first subscriber (see figure 1, col. 3, lines 46-55, lines 9-16).

Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Chong with the teaching of Dunn to switch out the connection of the data processing equipment of the first subscriber in order to response to an indication that the first subscriber has terminated service. Therefore, the combined system would have been enable the obsolete subscriber line to be disconnected remotely.

3. In the claim 13, see figures 2, 1, Chong discloses providing digital subscriber service for a first subscriber (CPE 1, CPE 2,....., CPE k) via a cross-connect switch (access matrix (figure 1)) to a digital subscriber line access multiplexer (DSLAM, see figure 1) connected to a digital telecommunication network, the cross connect switch supplying a connection between data processing equipment of the first subscriber and the digital subscriber line access multiplexer (see col. 3, lines 5-10, lines 30-35, see figures 1, 2).

However, Chong is silent to disclosing receiving, at a network management system connected to the cross connect switch, an indication that the first subscriber has terminated service.

Dunn et al. discloses in response to a request from an operation support system to the controller 10 (network management system), the auxiliary ECMDF establishes a connection between a specified subscriber and specified input to the SLCRT 31; comprising:

receiving at a network management system (controller 10) connected to the cross connect switch (AUX ECMDF 35, AUX FRAME 21, ,LEC Switch 3, CAP Switch 5), an indication that the first subscriber has terminated service (see figure 1, col. 3, lines 46-55, lines 9-16);

in response to receiving the indication at the network management system (controller 10), transmitting a command to the cross connect switch (AUX ECMDF 35, AUX FRAME 21, ,LEC Switch 3, CAP Switch 5) to switch out (to add or remove connections) the connection of the data processing equipment of first subscriber (see figure 1, col. 3, lines 46-55, lines 9-16);

in response to receiving the command at the cross-connect switch, switching out the connection of the data processing equipment of first subscriber (see figure 1, col. 3, lines 46-55, lines 9-16).

Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Chong with the teaching of Dunn to switch out the connection of the data processing equipment of the first subscriber in order to response to an indication that the first subscriber has terminated service. Therefore, the combined system would have been enable the obsolete subscriber line to be disconnected remotely.

4. In the claim 25, see figures 2, 1, Chong discloses providing digital subscriber service for a first subscriber (CPE 1, CPE 2,....., CPE k) via a cross-connect switch (access matrix (figure 1)) to a digital subscriber line access multiplexer (DSLAM, see figure 1) connected to a digital telecommunication network, the cross connect switch supplying a connection between data processing equipment of the first subscriber and the digital subscriber line access multiplexer (see col. 3, lines 5-10, lines 30-35, see figures 1, 2).

However, Chong is silent to disclosing receiving, at a network management system connected to the cross connect switch, an indication that the first subscriber has terminated service.

Dunn et al. discloses in response to a request from an operation support system to the controller 10 (network management system), the auxiliary ECMDF establishes a connection between a specified subscriber and specified input to the SLCRT 31; comprising:

receiving at a network management system (controller 10) connected to the cross connect switch (AUX ECMDF 35, AUX FRAME 21, ,LEC Switch 3, CAP Switch 5), an indication that the first subscriber has terminated service (see figure 1, col. 3, lines 46-55, lines 9-16);

in response to receiving the indication at the network management system (controller 10), transmitting a command to the cross connect switch (AUX ECMDF 35, AUX FRAME 21, ,LEC Switch 3, CAP Switch 5) to switch out (to add or remove connections) the connection of the data processing equipment of first subscriber (see figure 1, col. 3, lines 46-55, lines 9-16);

in response to receiving the command at the cross-connect switch, switching out the connection of the data processing equipment of first subscriber (see figure 1, col. 3, lines 46-55, lines 9-16).

5. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system of Chong with the teaching of Dunn to switch out the connection of the data processing equipment of the first subscriber in order to response to an indication that the first subscriber has terminated service. Therefore, the combined system would have been enable the obsolete subscriber line to be disconnected remotely.

6. Claims 2-12, 14-24, 26-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combined system (Chong-Dunn) in view of the admitted prior art.

In the claims 2, 14, 26, the combined system (Chong-Dunn) discloses the limitations of claim 1 above.

However, the combined system is silent to disclosing the collocation arrangement demarcation connected to the cross-connect switch and a patch line connecting the central office MDF to the collocation arrangement demarcation.

The admitted prior art discloses the collocation arrangement demarcation (collo 111) connected to the cross connected switch 110 and a patch line connecting the central office MDF 106 to the collocation arrangement demarcation 111.

Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the combined system (Chong-Dunn) with the teaching of the admitted prior art to provide the collocation arrangement demarcation in order to connect the central office MDF to the cross connect switch.

7. In the claims 3, 15, 27, the admitted prior art discloses the connection between the data processing equipment of the first subscriber and the central office MDF (106) is unshared (see figure 1, the admitted prior art).

8. In the claims 4, 16, 28, the admitted prior art discloses the cross-connect switch is connected to a port of the digital subscriber line access multiplexer (DSLAM) (see figure 1).

9. In the claims 5, 17, 29, Dunn et al. discloses the step of switching out the connection of the data processing equipment of first subscriber to the digital access multiplexer frees up the port of the digital subscriber line access multiplexer (see figure 1, col. 3, lines 50-56, lines 9-15).

10. In the claims 6, 18, 30, Dunn et al. discloses receiving, at a network management system connected to the cross connect switch, an indication that a second subscriber has initiated service; in response to receiving the indication at the network management system, transmitting a command to the cross connect switch to connect data processing equipment of second subscriber to the digital access multiplexer; and in response to receiving the command at the cross-connected switch, connecting the data processing equipment of the second subscriber to the digital access multiplexer (see figure 1, col. 3, lines 50-56).

11. In the claims 7, 19, 31, Dunn et al. discloses the cross-connect switch is connected to a port of the digital subscriber line access multiplexer and the step of switching out the connection of the data processing equipment of the first subscriber to the digital access multiplexer frees up the port of the digital subscriber line access multiplexer (see figure 1, col. 3, lines 50-56).

12. In the claims 8, 20, 32, Dunn et al. discloses connecting the data processing equipment of the second subscriber to the port of the digital subscriber line access multiplexer that was freed up by the step of switching out the connection of the data processing equipment of first subscriber to the digital access multiplexer (see figure 1, col. 3, lines 50-56).

13. In the claims 9, 21, 33, Dunn et al. discloses the connection between data processing equipment of the first subscriber and the digital subscriber line access multiplexer comprises a

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central office MDF connected to the data processing equipment of the second subscriber, a collocation arrangement demarcation connected to the cross-connect switch and a path line connecting the central office MDF to the collocation arrangement demarcation (see figure 1, col. 3, lines 50-56).

14. In the claims 10, 22, 34, the admitted prior art discloses the connection between the data processing equipment of the first subscriber and the central office MDF (106) is unshared (see figure 1).

15. In the claims 11, 23, 35, the admitted prior art discloses the connection between data processing equipment of the second subscriber and the digital subscriber line access multiplexer comprises a central office MDF connected to the data processing equipment of the second subscriber, a collocation arrangement demarcation connected to the cross-connect switch and a path line connecting the central office MDF to the collocation arrangement demarcation (see figure 1).

16. In the claims 12, 24, 36, the admitted prior art discloses the connection between the data processing equipment of the second subscriber and the central office MDF is unshared (see figure 1).

Conclusion

17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chuong Ho whose telephone number is (703) 306-4529. The examiner can normally be reached on 8:00AM to 4:00PM.

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18. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin can be reached on (703) 305-4366. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Chuong Ho
Examiner
Art Unit 2664

11/20/03

A handwritten signature in black ink, appearing to read 'W. Chin', followed by a long horizontal line.

WELLINGTON CHIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600